

Government Regulatory Approaches and Concerns Regarding Drones

There are three spheres of drone activity which government officials must by necessity deal with separately.

Private Use

The main concerns over private drone use have to do with public safety and privacy. There are two broad legislative approaches to confronting this challenge:

Technology-Neutral Laws – These laws prohibit the act rather than the method, imposing similar penalties on voyeurism or harassment whether accomplished with binoculars or drones. These laws can be strengthened locally and publicized in order to assure the public that its safety and privacy is still protected, regardless of new technological capabilities. These types of laws require no consultation with the FAA.

Technology-Specific Laws – These laws specifically curtail or prohibit the use of drones in certain locales or for certain purposes. Examples include laws prohibiting the use of drones over public monuments and buildings, places of worship, and schools. These laws are less flexible than their technology-neutral counterparts, and may need to be changed as technological advances see an increasing reliance on drones for private uses. Consultation with the FAA is recommended.

Commercial Use

The main concerns over commercial drone use have to do with legal liability, public safety, and negative externalities such as noise pollution and disturbing plant and animal life. While commercial drone usage may present new economic opportunities for cities and counties, local leaders should begin to think about how and when they want to see widespread commercial drone use.

Public Use

The main concerns with government use of drones center around appropriate uses, security, privacy, collection and retention of data, and civil liberties. Public acceptance of government use of drones is difficult, at best, without transparency and a level of confidence that uses will be appropriate, limited and not subject to abuse and that uses will be accountable.